IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 8328 of 2004

Between:
Putha Subba Reddy, s/o. P. Subba Reddy

..... PETITIONER

AND

The Mandal Revenue Officer/Mandal Authority, under the A.P. Water, Land and Trees Act, 2002
Kadapa District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction or particularly one in the nature of writ of mandamus, declaring the in-action of the respondent in not considering and taking appropriate steps on the petitioner's representation dt. 05.04.2004 and further action of the respondent in not exercising the jurisdiction and powers vested under the A.P. Water, Land and Trees Act,2002, as illegal, arbitrary, violative of Article 14,19,21 and 300 A of Constitution of India and consequently direct the respondent to consider and dispose of the said representation of the petitioner forthwith.

For the Petitioner:MR.K.RATHANGA PANI REDDY

For the Respondent No.: GP FOR REVENUE

The Court Made the Following :

ORDER:

The petitioner is an agriculturist having an extent of Ac.4-10 in Sy.No.909-1 of Patha Kadapa Village, Kadapa Mandal. He claims to have dug a bore well in the said land in the year 1996, and since then cultivating the land by drawing water from the said bore well and eking out his livelihood. While so, one Smt. Siromanemma, owner of adjacent land, dug a bore well on 30-3-2003 within a distance of 80 meters from his bore well, which is prohibited and is contrary to the provisions of the A.P. Water, Land and Trees Act, 2002 (for brevity 'the Act'), and the drawing of the water by the said lady, is resulting in depletion of ground water level. Therefore, he has made a representation dated 31-3-2004 to the respondent herein who is the competent authority under the Act for giving permission to dig a bore well to take appropriate action in this regard. As he has not received any response, the petitioner made another representation on 5-4-2004, which also met with the same fate. Therefore, the petitioner filed the present writ petition praying for a direction to the respondent to dispose of the representation filed by him on 5-4-2004.

Heard the learned counsel for the petitioner and the learned Government pleader. Both the counsel agreed that the writ petition be disposed of with a direction to the respondent to consider and dispose of the representation filed by the petitioner.

In the circumstances, the writ petition is disposed of directing the respondent to consider and dispose of the representation dated 5-

4-2004 filed by the petitioner as expeditiously as possible after giving notice and opportunity of hearing to the petitioner.

ASSISTANT REGISTRAR

//True copy//

SECTION OFFICER

14-6-2004/asp

To

1. The Mandal Revenue Officer, Kadapa Mandal, Kadapa District.
2. 2 CCs to G.P. for Revenue, High Court Buildings (O.U.T)
3. 2 CD copies
4. One spare copy